IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 166 of 2006 (M/B)

M/s R.S.B. Industries,
Lalpur, Tehsil Kichha,
District U.S. Nagar,
Through its Partner Krishan Lal,
S/o Suba Ram, R/o Lalpur,
District Udham Singh Nagar. …. Petitioner

Versus

State Bank of Patiala,
Branch Office, Civil Line,
Rudrapur, District U.S. Nagar,
Through its Branch Manager. … Respondent

Mr. Suresh Mishra, Advocate for the petitioner.

JUDGMENT

Coram: Hon. Rajeev Gupta, C.J.
Hon. P.C. Verma, J.

RAJEEV GUPTA, C.J. (Oral)

1. In view of the dictum of the Apex Court in the case of Mardia Chemicals Ltd. and others Vs Union of India and others reported in (2004) 4 SCC 311, we decline to entertain the writ petition as the petitioner has an alternative efficacious remedy to approach the Debts Recovery Tribunal under the provisions of Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.

2. The writ petition, therefore, fails and is, hereby, dismissed.

(P.C. Verma, J.) **(Rajeev Gupta, C.J.)**
15.02.2006 **15.02.2006**

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